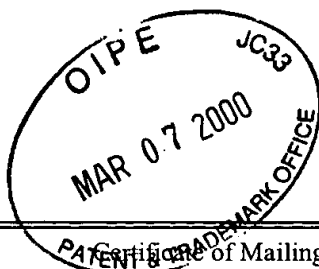
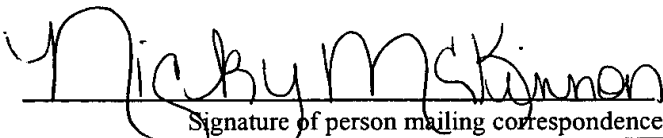


Receipt



PATENT  
ATTORNEY DOCKET NO. 50010/007006

Certificate of Mailing: Date of Deposit: <u>February 28, 2000</u>	
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as <b>first class mail</b> with sufficient postage on the date indicated above and is addressed to: Assistant Commissioner for Patents, Office of Initial Patent Examination, Customer Service Center, Washington, D.C. 20231.	
Nicky McKinnon	
Printed name of person mailing correspondence	Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard F Selden *et al.* Art Unit: 1636  
Serial No.: 09/328,130 Examiner: Not Yet Assigned  
Filed: June 8, 1999  
Title: *In Vivo* Production and Delivery of Erythropoietin or Insulinotropin for Gene Therapy  
Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

SECOND PETITION TO CORRECT FILING RECEIPT

Applicant requests that the attached filing receipt be corrected as follows:

The title reads as IN VIVO PRODUCTION AND DELIVERY OF ERTHROPOIETIN OR INSULINOTROPIN FOR GENE THERAPY and should read as IN VIVO PRODUCTION AND DELIVERY OF ERYTHROPOIETIN OR INSULINOTROPIN FOR GENE THERAPY.

RECEIVED  
MAR 16 2000  
1600 MAIL ROOM

Attached is a copy of the incorrect filing receipt and the Utility Patent Application Transmittal Under 37 CFR § 1.53(b) showing the correct information.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: February 28, 2000

Susan M. Michaud  
Paul T. Clark      Susan M. Michaud  
Reg. No. 30,162      Reg. No. 42,885

Clark & Elbing LLP  
176 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045

\\Ceserver\documents\50010\50010.007006 Second Petition to Correct Filing Receipt.wpd

RECEIVED  
MAR 16 2000  
TC 1600 MAIL ROOM

Certificate of Mailing

Date of Deposit June 8, 1999 Label Number: EL356089537US

I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to: BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C., 20231.

Sandra E. Marxen  
Printed name of person mailing correspondence

*Sandra E. Marxen*  
Signature of person mailing correspondence

UTILITY PATENT APPLICATION TRANSMITTAL UNDER 37 CFR §1.53(b)	
Attorney Docket Number	50010/007006
Applicant	Richard F Selden <i>et al.</i>
Title	IN VIVO PRODUCTION AND DELIVERY OF ERYTHROPOIETIN OR INSULINOTROPIN FOR GENE THERAPY
<b>PRIORITY INFORMATION:</b>	
This application is a continuation of and claims priority from United States Patent Application Serial No. 08/334,455, filed November 4, 1994, which is a continuation of U.S. Serial No. 07/911,533, filed July 10, 1992, which is a continuation-in-part of U.S. Serial No. 07/787,840, filed November 5, 1991, which is a continuation-in-part of U.S. Serial No. 07/789,188, filed November 5, 1991.	
<b>APPLICATION ELEMENTS:</b>	
Cover sheet	[1] page
Specification	[54] pages
Claims	[38] pages
Abstract	[1] page
Drawings (Formal) Petition To Accept Black & White Photographs Transmittal of Formal Drawings to Official Draftsperson	[7] pages [2] pages [2] pages
Combined Declaration and POA, which is: <input type="checkbox"/> Unsigned; <input type="checkbox"/> Newly signed for this application; <input checked="" type="checkbox"/> A copy from prior application 08/334,455 and the entire disclosure of the prior application is considered as being part of the disclosure of this new application and is hereby incorporated by reference therein.	[3] pages
Revocation and New Power of Attorney (as previously filed)	[3] pages
Transmittal of Substitute Declarations/Power of Attorney	[2] pages
Substitute Declaration for Patent Application	[3] pages
Sequence Listing on Paper	[3] pages

COPY

RECEIVED  
 MAR 16 2000  
 FC 1600 MAIL ROOM

Small Entity Statement, which is: <input type="checkbox"/> Unsigned; <input type="checkbox"/> Newly signed for this application; <input checked="" type="checkbox"/> A copy from prior application 08/334,455 and such small entity status is still proper and desired.	[2] pages
Preliminary Amendment	[2] pages
IDS	[**] pages
Form PTO 1449	[**] pages
Cited References	[**] pages
Recordation Form Cover Sheet and Assignment	[**] pages
Assignee's Statement	[**] pages
English Translation	[**] pages
Certified Copy of Priority Document	[**] pages
Return Receipt Postcard	1
<b>FILING FEES:</b>	
Basic Filing Fee: \$380	\$380.00
Excess Claims Fee: 67 - 20 x \$9	\$423.00
Excess Independent Claims Fee: 9 - 3 x \$39	\$234.00
Multiple Dependent Claims Fee: \$130	\$0.00
Total Fees:	\$1,037.00
<input checked="" type="checkbox"/> Enclosed is a check for \$130.00 and \$ <u>1,037.00</u> to cover the total fees. <input type="checkbox"/> Charge [**AMOUNT**] to Deposit Account No. 03-2095 to cover the total fees. <input type="checkbox"/> The filing fee is not being paid at this time. <input checked="" type="checkbox"/> Please apply any other charges, or any credits, to Deposit Account No. 03-2095.	
<b>CORRESPONDENCE ADDRESS:</b>	
Paul T. Clark Reg. No. 30,162 Clark & Elbing LLP 176 Federal Street Boston, MA 02110	
Telephone: 617-428-0200 Facsimile: 617-428-7045	
<div style="display: flex; justify-content: space-between;"> <div> <i>Susan M. Michaud</i>  Signature <u>Susan M. Michaud Reg. No. 42,885</u> </div> <div> <u>June 8 1999</u>  Date </div> </div>	

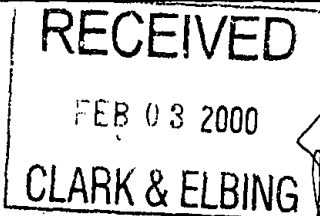
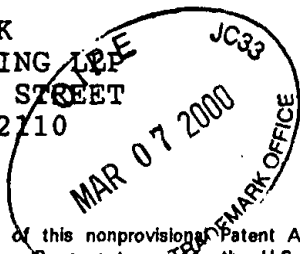
FILING RECEIPT  
CORRECTED



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/328,130	06/08/99	1636	\$1,037.00	50010/007006	7	67	9

PAUL T CLARK  
CLARK & ELBING LLP  
176 FEDERAL STREET  
BOSTON MA 02110



COPY

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) RICHARD F SELDEN, WELLESLEY, MA; DOUGLAS TRECO,  
ARLINGTON, MA; MICHAEL W. HEARTLEIN, BOXBOROUGH, MA.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A CON OF 08/334,455 11/04/94 PAT 5,994,127  
WHICH IS A CON OF 07/911,533 07/10/92 ABN  
WHICH IS A CIP OF 07/787,840 11/05/91 ABN  
WHICH IS A CIP OF 07/789,188 11/05/91 ABN

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 07/06/99 \*\* SMALL ENTITY \*\*  
TITLE

IN VIVO PRODUCTION AND DELIVERY OF ERTHROPOIETIN OR INSULINOTROPIN  
FOR GENE THERAPY  
ERYTHROPOIETIN

PRELIMINARY CLASS: 435

DATA ENTRY BY: WILSON, PAMELLA

TEAM: 12 DATE: 01/29/00

\*\*\*\*\*

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "FOREIGN FILING LICENSE GRANTED" followed by a date appears on the reverse side of this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.11. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related application(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations, especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR Parts 121-128) ); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j) ); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "FOREIGN FILING LICENSE GRANTED" DOES NOT appear on the reverse side of this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**PLEASE NOTE ---- The Following Information about the Filing Receipt:**

The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.

The words "new," "improved," "improvement," "improvements in or relating to" are not included as the first words in the title of an application because a patent application is, by nature, a new idea or improvement.

The title may be truncated if it consists of more than 4 lines of 70 characters each (letters and spaces combined).

The inventor information may be truncated if the family name consists of more than 25 characters (letters and spaces combined) and if the given name consists of more than 25 characters (letters and spaces combined). The inventor's residence allows for up to 40 characters (letters and spaces combined).

The docket number allows a maximum of 12 characters.

If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."

Customer Address may have been modified to conform to U.S. Postal rules.

Please direct correction, including a copy of your Filing Receipt, to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231